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SIPDIS

SENSITIVE

DEPARTMENT FOR AF, AF/C, AF/SPG, D, DRL, H, INR, INR/GGI,
PRM, USAID/OTI AND USAID/W FOR DAFURRMT; LONDON AND PARIS
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SUBJECT: NINTH JOINT COMMISSION MEETING: WIDESPREAD
DISRESPECT FOR CEASE-FIRE

REF: NDJAMENA 1378

1. (SBU) Summary: The Joint Commission (JC) on the Darfur Humanitarian Cease-fire met October 13-14 in N'Djamena. The key agenda item, strengthening the cease-fire, was never completely covered, but participants vowed to rejuvenate the JC and reaffirmed their commitments to participate regularly.

The Cease-fire Commission (CFC) reported on a serious deterioration of the security situation, which included widespread violence and deliberate and deadly attacks on civilians, humanitarian workers, and African Union personnel.

The AU urged the parties not to concentrate on disputing responsibility for the violations and asked all parties to focus on ways to strengthen cease-fire mechanisms on the ground. Nonetheless, SLM/A denied responsibility for the attack on AU personnel and said it is issuing its own report.

JEM noted that it had not been cited in any of the violations. The Government of Sudan (GOS) disavowed control of the jandjaveed and said it would look into the issue of releasing the remaining Canadian armored personnel carriers. All international partners condemned the parties for deterioration of the situation on the ground and implored the GOS to release the remaining APCs. The Justice and Equality Movement (JEM) participated for the first time since January.

The meeting dynamics followed the regular pattern of condemnation and denial, but the spirit of the debate was a positive development and all parties committed themselves to participate seriously. End Summary.

2. (SBU) The ninth session of the Joint Commission on the Darfur Humanitarian Cease-fire (JC) was held in N'Djamena on October 13 and 14. The meeting saw the return of the Justice and Equality Movement (JEM), represented by Ahmed Lissan Tugod and Talgedin Niam, to N'Djamena. JC Chairman Mahamat Ali Abdallah Nassour was at times joined by Foreign Minister Allam-mi Ahmad and was assisted by the Chad mediation team, Baharadine Haroun and Ambassador Mahamat Habib Doutoum. Ambassador Baba Gana Kingibe and Boubou Niang represented the African Union (AU) and the Cease-fire Commission by Ambassador Hassan Ali Gibril and MG Festus Okonkwo. The Government of Sudan (GOS) delegation was headed by General Mahamat Mustapha al-Dabi. Sudan Liberation Movement/Army (SLM/A) Chairman Abdelwahid Nur, Adam Shogar, and Ali Traiyi spoke for SLM/A. Ambassadors John Yates and Marc Wall, as well as P/E Officer, comprised the U.S. delegation.

CEASE-FIRE COMMISSION REPORT

3. (U) AU Cease-fire Commission (CFC) Chairman MG Festus Okonkwo and Acting Deputy Head of Mission Ambassador Hassan Ali Gibril outlined the escalating number of cease-fire violations, which included deliberate attacks on and harassment of civilians, humanitarian workers, and AU personnel. They also pointed out cases in which the parties denied the AU access to areas under their control to carry out investigations. Mass movements by all parties were

reported, including high concentrations of armed Arabs with thousands of livestock. There are also unusual jandjaveed concentrations near Kabkabiya. Rumors in the area suggest a potential attacks on Kabkabiya, Rokiro, Nertiti, and Golo. Attacks occurred in all sectors and the level of insecurity is causing the return of internally-displaced persons (IDPs) to Tawilla and Zam-Zam camps. Four AU personnel, which included three Nigerian observers and one PA/E contractor, died as the result of attacks on October 8. 39 AU personnel were kidnapped on October 9. The CFC also noted that the GOS continues to submit requests for convoy movements too late for the AU to ensure notification of the parties. This has led to numerous attacks. SLM/A remains in Graida and Labado and have established checkpoints along the Labado-Nyala road and are collecting illegal taxes from civilians.

14. (U) Both Okonkwo and Gibril cited flagrant disrespect for the cease-fire as hampering the peace process from moving forward. Gibril's recommendations included: parties should cease incursions into AMIS-controlled areas; GOS should disarm the jandjaveed and other armed militias; SLM/A and JEM

need to give the CFC their locations; the SLM/A high command must caution its field commanders to stop offensive attacks, especially those on AMIS patrols; the SLM/A should vacate Labado and Graida without delay; and the GOS should allow the immediate deployment of the 105 APCs donated by Canada to the national contingents in the AMIS II mission. To date, only 35 have been released by the GOS. Okonkwo asked that Chadian authorities help recover AMIS vehicles, weapons, and ammunition from Sudanese rebel splinter groups on the border. The CFC reported vehicles and aircraft painted in AMIS colors with AU insignia are being used by the parties, making AU personnel potential targets of attacks.

15. (U) The AU's envoy, Ambassador Baba Gana Kingibe, roundly criticized all parties for their disregard for the cease-fire. He said that the AU Peace and Security Council would be re-considering the AMIS mandate on or about October 20, prior to its expiration. He expressed his hope that AMIS's protection mandate would be clarified and strengthened. He reminded the parties of their obligations to protect civilians and noted that the JC and AU Peace and Security Council is referring the cease-fire violations to the U.N. Security Council. He told the parties that UNSC 1591 and 1593 must be respected and bind all parties. Kingibe urged the parties to work together to strengthen the JC and the cease-fire. Kingibe asked SLM/A to inform their commanders that AMIS has the right to move anywhere it needs to investigate violations. He told the GOS the APCs were necessary to increase AMIS's mobility. He requested that the parties refrain from denying responsibility and casting blame on others for the violations and instead give positive suggestions for improving the functioning of the JC and ensuring respect for the N'Djamena Accord and the Abuja protocols. Kingibe also raised the issue of making the Abuja process more inclusive, to ensure that all the parties on the ground are bound by the agreements. Most importantly, Kingibe insisted that all parties identify their locations. He condemned the expansion of the conflict into Chadian territory. All the international partners, including the U.S. delegation, joined Kingibe in expressing condolences to Nigeria for the loss of its personnel and condemning the parties for the escalating violence.

RESPONSE OF THE PARTIES

16. (U) Abdelwahid presented SLM/A's reaction to the CFC report, which began with regretting the loss of life by AU forces, and denying that SLM/A commanders were responsible. SLM/A is preparing its account of the events and will deliver it to the CFC and JC. Abdelwahid stated that the AU needs a clear mandate to protect civilians and the AU protection force needs improved logistics and more personnel. If the AU cannot provide enough troops to protect civilians, Abdelwahid said that NATO and UN forces should be deployed to Darfur. Invited to the table by Abdelwahid, Traiyo claimed that the GOS is impersonating AU forces by painting its vehicles with AU insignia. This, according to SLM/A, is causing confusion. SLM/A later raised the issue of the disarmament plan for the jandjaveed which was critiqued at the JC in February and asked where is the new plan. SLM/A asked that the JC have an opportunity to see it.

17. (U) Ahmed Lissan Tugod reaffirmed JEM's commitment to the cease-fire agreement and noted that JEM was not cited for any violations, nor did it participate in the deterioration of the situation on the ground. Both Tugod and Niam took every opportunity to thank the GOC for its hospitality. They urged the AU to open its liaison office, which will house the JC secretariat, as soon as possible. Niam later told us that he and Tugod would once again be resident in N'Djamena and that the GOC has promised a house. However, Niam said the GOC had not made good on its previous promises of a house and

stipends. Tugod told P/E officer that JEM wants to keep good relations with Chad and dispel accusations that JEM is recruiting Chadian mercenaries and military officers.

18. (U) General al-Dabi stated GOS troops acted in self-defense in Sheiria and the GOS is in full control of its forces. However, he said the GOS is not responsible for the activities of "uncontrolled" elements. General al-Dabi proposed establishing joint patrols to protect IDP areas drawn from GOS, SLM/A, and JEM forces. The GOS wants the positions of the parties to be verified and called for SLM/A to withdraw from Labado, Graida, Marla, and Ishma. He also criticized SLM/A tax collection activities.

STATUS OF THE AU DEPLOYMENT

19. (U) Okonkwo reported that the enhanced AMIS II mission is at seventy percent capacity. As of October 10, the 5,581-strong AU mission included 696 military observers; 4,848 protection force members from Nigeria, Rwanda, The Gambia, Senegal, Kenya, South Africa, and Chad; and 11 cease-fire Commission members and 26 international staff. Only 35 of the 105 Canadian-donated APCs have been turned over to the AU.

ON THE MARGINS

10. (SBU) SLM/A Chairman Abdelwahid Nur met with Chadian President Idriss Deby on October 14. According to Abdelwahid, he was warmly welcomed by the Chadians. (Note: SLM/A leaders Abdelwahid, Khamis Abdullah, and Mini Minawi continually promise to visit but never show up. The Chadian Government issued an ultimatum in mid-September that Chad could close its borders to SLM/A. Nonetheless, the Chadians were surprised to see Abdelwahid. End Note.) Abdelwahid told P/E officer that his meeting with Deby, the President supported the idea of an all-inclusive conference (see septel). Deby also expressed his concerns about Libyan and Sudanese Government support for Chadian rebels and other elements along the frontier.

COMMENT

11. (SBU) Despite the usual exhaustive denials of responsibility, several attempts were made to provide positive suggestions for moving forward. The agenda item to consider the verification commission could have been a show-stopper, but a compromise resulted in sidestepping the issue. Nonetheless, all parties and partners seem committed to regular participation on the JC, and the meeting ended on a more positive note than others.

12. (U) Tripoli Minimize Considered.
WALL

NNNN